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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,757	10/15/2001	Dianne D. Mueller	US20010115.	3965

173 7590 06/02/2004

WHIRLPOOL PATENTS COMPANY - MD 0750  
500 RENAISSANCE DRIVE - SUITE 102  
ST. JOSEPH, MI 49085

EXAMINER

CIRIC, LJILJANA V

ART UNIT PAPER NUMBER

3753

DATE MAILED: 06/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

***Response to Amendment***

1. The reply filed on March 2, 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

(A) Applicant's replies to the questions raised by the examiner in paragraph 17 of the previous Office action relating to the issue of public use or sale activity are still neither complete nor particularly clear. For example, in response to question (a) posed by the examiner, applicants fail to indicate whether or not the internet-connected refrigerator oven announced by David Whitwam was or was not a public announcement of the instant invention. In response to question (b) posed by the examiner, applicants fail to even provide a single specific example of any public announcements or press releases related to the instant invention other than the ones made on January 16-17, 2002; this is not acceptable, since the examiner specifically asked that applicant identify at least some additional public announcements and/or press releases if these existed. Also, in response to question (d) posed by the examiner, applicants merely indicated that applicants "did not show any prototype or concept appliances at any tradeshow prior to January 16-17, 2002" and that "applicants did not make or distribute any brochures prior to January 16-17, 2002". Again, this fails to be a direct or proper response to the examiner's questions and request for information, since the examiner asked that any tradeshow (regardless of whether or not these occurred before January 16-17, 2002) at which *the instant invention* was shown be identified and that brochures relating to the instant invention made available to the public at these tradeshow (including the January 16-17 tradeshow) be made available to the examiner.

Art Unit: 3753

(B) Applicant has added claim 38 *without* indicating whether or not this newly added claim is readable upon the previously elected species as required. More particularly with regard to this matter, see MPEP 809.02(a) and the corresponding original election/restriction requirement posed by the examiner.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ljiljana (Lil) V. Ciric, whose telephone number is (703) 308-3925.

While she works a flexible schedule that varies from day to day and from week to week, Examiner Ciric may generally be reached at the Office during the work week between the hours of 10 a.m. and 6 p.m. ET.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Scherbel, can be reached on (703) 308-1272.

The NEW central official fax phone number is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0861.

lvc

May 30, 2004

  
LJILJANA V. CIRIC  
PRIMARY EXAMINER  
ART UNIT 3753